

AMENDMENTS TO THE CLAIMS:

1. **(currently amended)** A disposable diaper, comprising:
a diaper main body including a top sheet, a back sheet and an absorbent body disposed between enclosed in said top sheet and back sheet sheets;
a pair of side flaps respectively extending outwardly from respective side edge portions an end portion in a lateral direction of said diaper main body, the side flaps being disposed between said top sheet and back sheet, each of said side flaps comprising an elastic sheet sandwiched between upper and lower non-woven fabric layers; and a fixing
a fixing tape having a hook member and being disposed in proximity of a farthest an outermost lateral edge of each of the respective side flaps extending outwardly, and
~~wherein said fixing tape is provided with a hook member;~~
~~said fixing tape and said side flap are to be engaged through said hook member; and~~
an engaging region provided on each said side flap to engage the respective where said fixing tape with said side flap through the hook member, said engaging region including is to be engaged includes portions having an a different engaging force with said hook member that is different from an engaging force in other portions of said engaging region.

2. **(currently amended)** The disposable diaper according to claim 1, wherein said engaging region comprises
an engaging portion engageable with which said said hook member, is to be engaged and
a non-engaging portion with which said hook member can barely be engaged or cannot be engaged at all.

3. **(currently amended)** The disposal diaper according to claim 1, wherein
said fixing tape comprises a fixing tape substrate and said hook member provided on a surface of said fixing tape substrate; and

said fixing tape substrate is provided with a gripping portion at an end ~~thumb portion on an end portion thereof~~ and an attaching portion at the opposite ~~on the other end portion thereof~~, said attaching portion being attached to the respective side flap.

4. **(currently amended)** The disposable diaper according to claim 1, wherein the engaging force of said engaging region ~~has an engaging force with said hook member~~ is in a range of 0.3 N/25mm to 2.2 N/25mm.

5. (original) The disposable diaper according to claim 2, wherein said non-engaging portion has an engaging force with said hook member not greater than 2.2 N/25mm.

6. **(currently amended)** The disposable diaper according to claim 5, wherein said non-engaging portion comprises ~~is comprised of~~ a nonwoven fabric having a low engaging force with said hook member.

7. **(currently amended)** The disposable diaper according to claim 2, wherein an entire area of said engaging portion is in a range of 5% to 50% of the entire area ~~entirety~~ of said hook member.

8. (previously presented) The disposable diaper according to claim 1, wherein said hook member of said fixing tape is a male engaging piece of a hook-and-loop fastener.

9. **(currently amended)** The disposable diaper according to claim 1, wherein said fixing tape is attached to a ~~an inner~~ surface of said side flap and is foldable ~~can be folded back~~ along the outermost lateral edge of said side flap, at a lateral edge thereof ~~in such a manner that its face with~~ said hook member faces said surface of said side flap ~~inside~~, so as to be temporarily fixed to said surface of said side flap ~~surface~~ in a manner where said hook member achieves

engagement with said ~~in said~~ engaging region when said fixing tape is folded back.

10. **(currently amended)** The disposable diaper according to claim 1, wherein said fixing tape is attached to said side flap in such a manner that said hook member opposes a surface of said side flap ~~surface~~, so that said fixing tape is temporarily fixed to said surface of said side flap ~~surface~~ in a manner where said hook member achieves engagement ~~in said~~ with said engaging region.

11. **(currently amended)** The disposable diaper according to claim 1, wherein said fixing tape is attached to one of opposite surfaces ~~an outer surface~~ of said side flap and is foldable along the outermost lateral edge of said side flap, ~~can be folded back at a lateral edge thereof~~ in such a manner that ~~its face with~~ said hook member faces the other one of said opposite surfaces of the side flap ~~inside~~, so as to be temporarily fixed to said other surface of said side flap ~~surface~~ in a manner where said hook member achieves engagement with said ~~in said~~ engaging region after said fixing tape is folded back.

12. **(currently amended)** The disposable diaper according to claim 9, wherein said engaging region comprises an engaging portion engageable with said hook member, and a non-engaging portion with which said hook member can barely be engaged or cannot be engaged at all; and

said non-engaging portion of said engaging region is formed on at least one of ~~either~~ said fixing tape and said surface of said side flap ~~surface or the both thereof~~.

13. **(currently amended)** The disposable diaper according to ~~claim 9~~ claim 12, wherein said engaging portion in said engaging region is formed on said surface of said side flap ~~surface~~.

14. **(currently amended)** The disposable diaper according to claim 9, wherein said fixing tape comprises a fixing tape substrate and said hook member provided on a surface of said fixing tape substrate; and

said fixing tape substrate comprises ~~is comprised of~~ a nonwoven fabric having a low engaging force with said hook member.

15. **(currently amended)** The disposable diaper according to claim 9, wherein said fixing tape comprises a fixing tape substrate and said hook member provided on a surface of said fixing tape substrate;

said fixing tape substrate is provided with a gripping portion at an end thereof and an attaching portion at the opposite end thereof, said attaching portion being attached to said surface of said side flap; and

said fixing tape is provided with an opening in said attaching portion, a portion of said surface of said side flap being exposed through said opening and engageable with said hook member when said fixing tape is folded back.

16. **(currently amended)** The disposable diaper according to claim 1, wherein said side flap comprises a composite sheet including an elastic sheet and a nonwoven fabric combined thereto at least on a the wearer's body side adapted to face a wearer's body in use.

17. **(original)** A disposable diaper comprising a fixing tape provided with a hook member, wherein an engaging region with which said hook member of said fixing tape is to be engaged includes therein a non-engaging portion where said hook member is substantially unable to be engaged, and said non-engaging portion comprises a temporary fixing portion of said fixing tape.

18. **(new)** A disposable diaper, comprising:

a diaper main body including a topsheet, a backsheet and an absorbent body disposed between said topsheet and backsheet sheets, said diaper main body further comprising first and second waist regions and a crotch region extending in a longitudinal direction of said diaper main body between said first and second waist regions;

a pair of side flaps respectively extending outwardly from transversely opposite sides of the first waist region of said diaper main body in a transverse direction of said diaper main body;

a pair of fixing taps each being attached to one of said side flaps in a vicinity of an outermost lateral edge of said side flap, each said fixing tape being provided with a hook member comprising hooks which are engageable, in use, with the second waist region of said diaper main body to define a waist hole and a pair of leg holes; and

an engaging region on each said side flap where the hook member of the respective fixing tape is engaged for temporarily fixing said fixing tape to said side flap before use, said engaging region comprising

an engaging portion which, when said fixing tape is temporarily fixed to said side flap before use, has a first engaging force with said hook member; and

a non-engaging portion which, when said fixing tape is temporarily fixed to said side flap before use, has a second engaging force with said hook member, the second engaging force being less than the first engaging force;

wherein, when said fixing tape is temporarily fixed to said side flap before use, said engaging portion is in direct contact and engaged with some, but not all, of the hooks of the respective hook member.

19. (new) The disposable diaper according to claim 18, wherein when said fixing tape is temporarily fixed to said side flap before use, said non-engaging portion is in direct contact with other hooks of the respective hook member.

20. (new) The disposable diaper according to claim 18, wherein

each said fixing tape comprises a fixing tape substrate and said hook member provided on a surface of said fixing tape substrate;

said fixing tape substrate has an attaching portion attached to a surface of the respective side flap, said attaching portion having an opening through which a portion of said surface of said side flap is exposed to define said engaging portion; and

when said fixing tape is temporarily fixed to said side flap before use, said fixing tape is in a folded state with the respective hook member facing said surface of said side flap, some of the hooks of said hook member extending through the opening and directly engaging with the exposed portion of said surface of said side flap.